IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

CHAMBER SUMMONS NO. 102 OF 2005
IN
SUIT NO. 3513 OF 1988

Nassim Dhanjibhai .....Plff
vs.
Dinshaw Mistry and Ors.....Defendants

Mr. S.M. Sakhardande with Mr. Anil Rao for the plffs.

Mr. Seth with Mr. Gautam Pandhal i/b. Bilawala and Co. for defendant no.3.

Mr. M.H.J. Patel, Representative of Court Receiver present.

CORAM: S.U. KAMDAR, J.

DATE : 21ST APRIL, 05.

P.C.:

. By consent of the parties chamber summons taken on board and called out for hearing.

1. The affidavit of advocate Anil Rao as well as

that of plaintiff dated 21.4.2005 is taken on record. In the present case the plaintiff is in default in making payments of the amount due and payable towards the royalty charges to the court receiver. As of today the arrears is Rs.1,30,000/- Lerned counsel appering for the plaintiffs states that sum of Rs.1,30,000/- will be paid within a period of one week from today and the balance Rs.30,000/- will be paid within 15 days from today.

2. In view of the assurance given by the learned counsel for the plaintiff the court receiver is directed not to take possession of the said premises. The court receiver is further directed that in an event of default in making payments of the aforesaid amount or instalment of the further dues, then the Court Receiver will be entitled to take possession forthwith without any further reference to this court. It is also made clear that no further extension will be granted either in payment of the arrears or of the future instalments amount.

. Chamber summons disposed off accordingly.

:3:

sd/-

****